



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M-66131-2025
Date of decision: 29.05.2026**

MANPREET KAUR AND ANOTHERPetitioners

VERSUS

STATE OF PUNJAB AND ANOTHERRespondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Varun Veer Chauhan, Advocate for
Mr. Shoryaveer Vashist, Advocate
for the petitioners.

Ms. Alisha Soni, AAG, Punjab.

Mr. Sriansh Singh, Advocate
for respondents No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. This is a petition filed under Section 528 of B.N.S.S for quashing of FIR No. 33, dated 12.03.2021, registered under Section 420 of the Indian Penal Code, 1860 at Police Station Balachour, District SBS Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 10.09.2025 (Annexure P-2).

2. Brief facts of the present case are that the complainant Kulvir Singh got married to Amandeep Kaur on 14.09.2018 at Balachaur. After the marriage, both parties intended to settle in Canada and, accordingly, the complainant and his family allegedly spent substantial amounts for sending Amandeep Kaur to Canada for studies, including

expenses towards education, travel and other allied purposes. It has been alleged that the complainant and his family sold land measuring 3 ½ Kanal and also borrowed loans for meeting the expenses, and in total, a sum of approximately Rs.20,00,000/- was spent upon Amandeep Kaur. It is further the case of the complainant that after going to Canada, Amandeep Kaur initially remained in contact with him and also visited India in June 2019 for about 13-14 days, whereafter she returned to Canada. However, despite repeated requests made by the complainant for providing necessary documents for processing his Visa, Amandeep Kaur allegedly avoided the matter on one pretext or the other and later started demanding further money. Thereafter, she allegedly blocked the complainant's mobile number and, along with her mother Manpreet Kaur and other family members, started threatening the complainant and his family. The complainant further alleged that an earlier complaint dated 24.02.2020 was submitted before the police authorities, pursuant where to a compromise was effected between the parties in the presence of Panchayat members. As per the said compromise and affidavit allegedly executed by Manpreet Kaur, it was admitted that the complainant's family had spent approximately Rs.20,00,000/- for sending Amandeep Kaur abroad and it was assured that the Visa file of the complainant would be submitted by 27.03.2020, failing which the said amount was to be repaid with interest. However, according to the complainant, neither any Visa file was submitted nor the amount was returned and the accused persons thereafter refused to honour the compromise. On the basis of the aforesaid allegations, an FIR was got registered against the accused Amandeep Kaur, her mother Manpreet Kaur

and other relatives of having cheated and defrauded the complainant and his family by dishonestly inducing them to spend huge amounts of money on the false promise of settling him abroad but subsequently refusing to fulfil the said promise.

3. It is however averred that with the intervention of the respectables from both sides, the matter has now been settled and amicably resolved. It is further submitted that the compromise amongst the parties was effected on account of free will and without any pressure and coercion. Hence, the present petition.

4. Pursuant to the order passed by this Court dated 16.01.2026, a report has been received from the Judicial Magistrate, 1st Class, Balachaur vide Memo No. 311 dated 11.03.2026. The relevant extract of the report reads thus:-

“It is further humbly submitted that the point wise information as sought by the Hon’ble High Court is as follows.

“1. As per the statement of the Investigating officer, there are only two persons namely Amandeep Kaur and Manpreet Kaur who have been arrayed as accused in the present FIR.

2. As per the statement of the Investigating Officer, there is only one complainant/victim namely Kulvir Singh in the present FIR.

3. As per the statement of all the parties and the Investigating Officer, both the accused namely Manpreet Kaur and Amandeep Kaur and the complainant Kulvir Singh are party to the compromise. The accused Manpreet Kaur and complainant Kulvir Singh have signed the written compromise. However, the accused Amandeep Kaur has not signed the

written compromise as she compromised the matter through her mother i.e. accused Manpreet Kaur being her attorney.

4. *As per the statement of all the parties and the Investigating Officer, no affected person (accused or complainant) is left out or not arrayed as party in the quashing petition.*

5. *As per the statement of the Investigating Officer, the accused have neither been declared as proclaimed offender nor any such proceedings against them have been initiated or pending adjudication.*

6. *From the statements suffered by both the parties before me, I am satisfied that the compromise entered between the parties is genuine, voluntary and without any coercion or undue influence.*

7. *As per the statement of the Investigating Officer, the accused/petitioners are not involved in any other FIR.*

8. *In the present FIR, the challan has been presented against accused Manpreet Kaur only and the FIR is still at the stage of Investigation qua the accused Amandeep Kaur.”*

5. Learned State counsel does not dispute the factum of the compromise amongst the parties and does not have any serious objection to the resolution of the dispute amongst the parties.

6. Mr. Sriansh Singh, Advocate appears on behalf of respondent No. 2 and reiterates the settlement and his concurrence to the quashing of the FIR along with all the other consequential proceedings.

7. The broad principles governing the exercise of powers under Section 482 of the Code of Criminal Procedure were summarized by the Hon'ble Supreme Court in the matter of ***Gian Singh v. State of Punjab and Another***, reported as (2012) 10 SCC 303, wherein it was held as under:

61. The position that emerges from the above discussion can be summarised thus : the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code. Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz. : (i) to secure the ends of justice, or (ii) to prevent abuse of the process of any court. In what cases power to quash the criminal proceeding or complaint or FIR may be exercised where the offender and the victim have settled their dispute would depend on the facts and circumstances of each case and no category can be prescribed. However, before exercise of such power, the High Court must have due regard to the nature and gravity of the crime. Heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. cannot be fittingly quashed even though the victim or victim's family and the offender have settled the dispute. Such offences are not private in nature and have a serious impact on society. Similarly, any compromise between the victim and the offender in relation to the offences under special statutes like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity, etc.; cannot provide for any basis for quashing criminal proceedings involving such offences. But the criminal cases having overwhelmingly and predominatingly civil flavour stand on a different footing for the purposes of quashing, particularly the offences arising from commercial, financial, mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry, etc. or the family disputes where the wrong is basically private or personal in nature and the parties have resolved their entire dispute. In this category of cases, the High Court may quash the criminal proceedings if in its view, because of the compromise between

the offender and the victim, the possibility of conviction is remote and bleak and continuation of the criminal case would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal case despite full and complete settlement and compromise with the victim. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceeding or continuation of the criminal proceeding would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that the criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceeding.

(Emphasis supplied)

8. On consideration of the above, the following relevant factors emerge for supplementing a case for invocation of the powers under Section 528 of BNSS, 2023:-

- a. It is established from the report of Judicial Magistrate 1st Class, Balachaur that a compromise has been effected voluntarily between the parties and the same is genuine and without any coercion or any undue pressure.
- b. That the present dispute pertains to matrimonial and financial issues between the parties arising out of an alleged promise of settlement abroad and reimbursement of expenses incurred by the complainant.
- c. Petitioners are women aged 44 years and 27 years respectively and continued incarceration in a criminal case

will cause severe repercussions to them in the discharge of their social obligations as well as at their work place.

d. The offence(s) in question cannot be said to be heinous or that would be shocking to the collective conscience of the society. It can also not be termed as one shocking to the conscience of the Court.

e. Continuation of the proceedings, with the complainant unlikely to support the case of the prosecution, would serve no larger public purpose and would only result in a waste of judicial time.

9. In view of the report submitted by the Judicial Magistrate 1st Class, Balachaur and having regard to the settled principles laid down by the Hon'ble Supreme Court on the subject, the instant petition is allowed. The aforesaid FIR No. 33, dated 12.03.2021, registered under Section 420 of the Indian Penal Code, 1860 at Police Station Balachour, District SBS Nagar, along with all subsequent proceedings arising therefrom, **are hereby quashed** in view of the compromise dated 10.09.2025 (Annexure P-2). However, the same would be subject to payment of total costs of **Rs.40,000/-** to be deposited by the petitioners with the ***“Post Graduate Institute of Medical Education & Research” (PGIMER), Chandigarh*** within a period of two months of receipt of certified copy of this order.

Petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

MAY 29, 2026
Vishal Sharma

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No